

Exhibit H

Jeffrey N. Leibell

From: Jeffrey N. Leibell
Sent: Tuesday, March 10, 2020 7:59 AM
To: Chanler Langham
Cc: Marc Seltzer; Salzman, Hollis; Adam Zapala; Robin Niemiec
Subject: Auto Parts Indirect - EPP Actions
Attachments: FRS Letter to GCG (2020-03-09).pdf

Chanler,

The attached letter was sent yesterday afternoon to info@autopartsclass.com with a copy to Brian Pinkerton.

If you have any questions, please let me know.

Jeff

Jeffrey N. Leibell

Chief Legal & Financial Officer
201.853.1246 | jleibell@frsco.com | [LinkedIn](#)



Financial Recovery Strategies

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Financial Recovery Strategies (FRS) is a third-party class action settlement claims recovery consulting firm; we are not class counsel or a claims administrator. Class members may always file claims on their own without retaining FRS, and may contact class counsel and the claims administrator for information about a settlement and for claims filing assistance. FRS, if retained, works on an agreed-upon contingent commission basis.



Jeffrey N. Leibell
Chief Legal & Financial Officer
 (201) 853-1246
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March 9, 2020

BY ELECTRONIC MAIL

GCG
 Settlement Administrator
 Auto Parts Settlements
 P.O. Box 10163
 Dublin, OH 43017-3163
 info@AutoPartsClass.com

In re Automotive Parts Antitrust Litigation, End-Payor Actions
 Master File No. 12-md-02311 (E.D. Mich.)

Dear Settlement Administrator:

As you know, Financial Recovery Services, LLC d/b/a Financial Recovery Strategies ("FRS") has been retained by certain members of the Settlement Classes ("EP Class Members") to manage their proofs of claim to recover from the End-Payor settlements (the "EP Settlements"). We are providing this letter to supplement the proofs of claim that FRS has submitted on behalf of FRS's auto insurer clients ("Auto Insurers").¹

Specifically, FRS, after reaching an impasse with Settlement Class Counsel, submitted to the Court a letter dated December 13, 2019 (the "FRS Letter") in which FRS requested the following relief:

[Entry of] an order declaring that, under the longstanding and universally-recognized equitable subrogation doctrine, [Auto Insurers] that, to or on behalf of EP Class Members ("Total Loss Insureds"), made indemnity payments for "Eligible Vehicles" that were deemed a total loss ("Total Loss Vehicles"), are subrogees, and

¹ Those Auto Insurers are as follows:

<u>Auto Insurer</u>	<u>Claim Number</u>
AIG	47423AB8CA
Liberty Mutual	10063971
MAPFRE Insurance	0E97739368
Mercury Insurance Services	10050383
Utica National Insurance Group	43E0EE54BB
W.R. Berkley	857B0260BB



GCG
Settlement Administrator
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thus stand in the shoes, of Total Loss Insureds, and, therefore, may recover from the EP Settlements to the extent of their indemnity payments.²

Settlement Class Counsel responded to the FRS Letter on January 16, 2020;³ by letter dated January 30, 2020, FRS submitted in further support of its position its reply letter.⁴

The Court has not yet ruled on FRS's request. With the March 16, 2020 claim deadline rapidly approaching, and because identifying, collecting and marshaling the Total Loss Vehicle data necessary to update each Auto Insurer's proof of claim will be a considerable undertaking, FRS, on behalf of Auto Insurers, is notifying GCG that, should the Court grant FRS's application, FRS, within a reasonable time thereafter considering the nature of the undertaking and attendant circumstances, will supplement the timely-filed proof of claim for each Auto Insurer. This letter thus supplements each Auto Insurer's proof of claim and, accordingly, should be included in each of their claim files.

If GCG has any objection to the foregoing, please advise FRS immediately so that we may advise the Court as soon as possible.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffrey N. Leibell".

Jeffrey N. Leibell

Copy (via email) to: Chanler A. Langham, Esq.
Marc M. Selzer, Esq.
Hollis Salzman, Esq.
Adam J. Zapala, Esq.

² FRS Letter at 1 (footnotes omitted). A copy of the FRS Letter is attached hereto as Exhibit 1. All terms with initial capitalization not specifically defined in this letter are defined in the FRS Letter.

³ Dkt. 2034.

⁴ A copy of FRS's reply letter is attached hereto as Exhibit 2.